

IN RE: Michael L Stine

Debtor

Michael L. Stine

Movant

IN THE UNITED STATES BANKRUPTCY
COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

CASE NO. 4:17-bk-13673-REF

Chapter 13

Vs.

Cleveland Brothers Equipment Co., Inc.
Respondent

ORDER

AND NOW, upon the Motion (the "Motion") of debtor Michael L. Stine (the "Debtor") to avoid an alleged judicial lien docketed at CCP-Dauphin case no. 2016-CV-03833 and later recorded for execution to CCP-Northampton case no. C-48-CV- 2016-11300 of Cleveland Brothers Equipment Co., Inc. ("Cleveland Brothers") in real and personal property of the Debtor located at 609 Orchard Road, Mount Bethel, PA 18343 and upon Debtor having asserted the alleged lien is subject to avoidance pursuant to 11 U.S.C. §522(f)(1), upon Debtor having certified that adequate notice of the motion was sent to the lienholder, upon a response to the Motion having been filed by Cleveland Brothers, and upon a hearing.

IT IS HEREBY ORDERED that the motion is granted to the extent set forth in this Order and the above judicial lien of Cleveland Brothers on real and personal property of the Debtor located at 609 Orchard Road, Mount Bethel, PA 18343' is avoided to the extent that it impairs the Debtor's exemptions.²

IT IS FURTHERED ORDERED, pursuant to 11 U.S.C. §349(b)(1)(B), that dismissal of this case reinstates any lien voided under 11 U.S.C. §522.

BY THE COURT:

Date: July 25, 2017



United States Bankruptcy Judge

¹ The avoidance of any existing or inchoate lien of Cleveland Brothers pursuant to this order relates only to property of the Debtor and shall not result in the avoidance of any existing or inchoate lien of Cleveland Brothers on or against the property of any non-Debtor, including MS Recycling, LLC. Nothing in this order shall constitute a determination as to whether property that may be subject to an existing or inchoate lien of Cleveland Brothers is property of the Debtor or is property of any non-Debtor, including MS Recycling, LLC and all rights of parties-in-interest with respect to this issue are preserved.

² Nothing in this order shall constitute a determination as to the validity of any exemptions declared by the Debtor in the instant bankruptcy case and all rights of parties-in-interest with respect to this issue are preserved.